

Introduced by Senator Liu

January 12, 2011

An act to amend Section 11123 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 103, as introduced, Liu. State government: meetings: teleconferencing.

Existing law authorizes a state body to conduct teleconference meetings.

This bill would urge a state body, to the extent legally or financially possible, to conduct teleconference meetings.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) That teleconferencing is a green technology, allowing
- 3 organizations to mitigate energy use by dramatically reducing the
- 4 need to travel.
- 5 (b) By communicating over video or telephone, organizations
- 6 can also substantially reduce their carbon footprint by reducing
- 7 the need to travel via high-emission methods, such as flying or
- 8 driving.
- 9 (c) Teleconferencing saves money by reducing the number of
- 10 trips taken annually, and this monetary savings is multiplied by
- 11 the cost of transportation to and from the airport, the flight, per

1 diem expenses, salary of time lost in traveling, and other incidental
2 expenses of travel.

3 (d) The amount saved by teleconferencing greatly exceeds the
4 minimal cost of investing and implementing teleconferencing
5 solutions, such as the cost for new equipment, services, and
6 training.

7 (e) Therefore it is the intent of the Legislature that state bodies,
8 to the extent possible, conduct teleconference meetings in order
9 to save the environment and save the state money.

10 SEC. 2. Section 11123 of the Government Code is amended
11 to read:

12 11123. (a) All meetings of a state body shall be open and
13 public and all persons shall be permitted to attend any meeting of
14 a state body except as otherwise provided in this article.

15 (b) (1) This article does not prohibit a state body from holding
16 an open or closed meeting by teleconference for the benefit of the
17 public and state body. The meeting or proceeding held by
18 teleconference shall otherwise comply with all applicable
19 requirements or laws relating to a specific type of meeting or
20 proceeding, including the following:

21 (A) The teleconferencing meeting shall comply with all
22 requirements of this article applicable to other meetings.

23 (B) The portion of the teleconferenced meeting that is required
24 to be open to the public shall be audible to the public at the location
25 specified in the notice of the meeting.

26 (C) If the state body elects to conduct a meeting or proceeding
27 by teleconference, it shall post agendas at all teleconference
28 locations and conduct teleconference meetings in a manner that
29 protects the rights of any party or member of the public appearing
30 before the state body. Each teleconference location shall be
31 identified in the notice and agenda of the meeting or proceeding,
32 and each teleconference location shall be accessible to the public.
33 The agenda shall provide an opportunity for members of the public
34 to address the state body directly pursuant to Section 11125.7 at
35 each teleconference location.

36 (D) All votes taken during a teleconferenced meeting shall be
37 by rollcall.

38 (E) The portion of the teleconferenced meeting that is closed
39 to the public may not include the consideration of any agenda item
40 being heard pursuant to Section 11125.5.

1 (F) At least one member of the state body shall be physically
2 present at the location specified in the notice of the meeting.

3 (2) For the purposes of this subdivision, “teleconference” means
4 a meeting of a state body, the members of which are at different
5 locations, connected by electronic means, through either audio or
6 both audio and video. This section does not prohibit a state body
7 from providing members of the public with additional locations
8 in which the public may observe or address the state body by
9 electronic means, through either audio or both audio and video.

10 (c) *A state body shall, to the extent legally or financially*
11 *possible, conduct teleconference meetings, subject to the*
12 *requirements set out in subdivision (b).*